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Agenda item 132

Proposed programme budget for the biennium 2010-2011

Report of the Fifth Committee

Rapporteur: Ms. Yuliana Zhivkova **Georgieva** (Bulgaria)

I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 132 are set out in the reports of the Committee contained in documents A/64/548 and Add.1.

2. The Fifth Committee resumed its consideration of the item at its 24th, 26th and 27th meetings, on 2, 10 and 19 March 2010. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/64/SR.24, 26 and 27).

3. For its further consideration of the item, the Committee had before it the following documents:

Financing of the core diplomatic training activities of the United Nations Institute for Training and Research

Report of the Secretary-General (A/63/592)

Report of the Advisory Committee on Administrative and Budgetary Questions (A/63/744)

Revised estimates relating to the programme budget for the biennium 2010-2011 under sections 28C, Office of Human Resources Management, 28D, Office of Central Support Services, and 36, Staff assessment: Emergency Preparedness and Support Unit

Report of the Secretary-General (A/64/662)

Report of the Advisory Committee on Administrative and Budgetary Questions (A/64/7/Add.22)

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Limited budgetary discretion

Report of the Secretary-General (A/64/562)

Report of the Advisory Committee on Administrative and Budgetary Questions (A/64/7/Add.18)

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Report of the Secretary-General (A/64/349/Add.6 and A/C.5/64/SR.24)

Report of the Advisory Committee on Administrative and Budgetary Questions (A/64/7/Add.21)

Conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

Report of the Secretary-General on the conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/64/635 and Corr.1)

Report of the Advisory Committee on Administrative and Budgetary Questions (A/64/7/Add.20)

II. Consideration of proposals

A. Draft resolution A/C.5/64/L.32

4. At its 27th meeting, on 19 March, the Committee had before it a draft resolution entitled "Special subjects relating to the programme budget for the biennium 2010-2011" (A/C.5/64/L.32), submitted by the Chair of the Committee on the basis of informal consultations coordinated by the representatives of Pakistan and Norway and the representative of Bulgaria, Rapporteur of the Committee.

5. At the same meeting, the Committee adopted draft resolution A/C.5/64/L.32 without a vote (see para. 8, draft resolution I).

B. Draft resolution A/C.5/64/L.33

6. At its 27th meeting, on 19 March, the Committee had before it a draft resolution entitled "Conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda" (A/C.5/64/L.33), submitted by the Chair on the basis of informal consultations coordinated by the representative of New Zealand.

7. At the same meeting, the Committee adopted draft resolution A/C.5/64/L.33 without a vote (see para. 8, draft resolution II).

III. Recommendations of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Special subjects relating to the programme budget for the biennium 2010-2011

The General Assembly,

I
Financing of the United Nations Institute for Training and Research

Recalling section X of its resolution 59/276 of 23 December 2004 and section XII of its resolution 60/248 of 23 December 2005,

Having considered the report of the Secretary-General on the financing of the core diplomatic training activities of the United Nations Institute for Training and Research[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the report of the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Welcomes* the Institute's 2010-2012 strategic plan and the priority assigned to mobilizing self-generated income through the implementation of the Institute's new business model;

3. *Also welcomes* in that context the Institute's initiative to create a fellowship fund which would be established with the purpose of ensuring that core diplomatic training remains a service for all Member States by defraying the costs of core diplomatic training to diplomats from developing countries and least-developed countries;

4. *Appeals* to Member States, private institutions and other entities to give financial support to the fellowship fund;

II
Revised estimates relating to the programme budget for the biennium 2010-2011 under sections 28C, Office of Human Resources Management, 28D, Office of Central Support Services, and 36, Staff assessment: Emergency Preparedness and Support Unit

Recalling its resolution 64/243 of 24 December 2009,

Recognizing the risk to United Nations personnel resulting from malicious acts, natural disasters and other emergency situations,

Stressing the duty of the Organization to care for United Nations personnel and their family members affected by such incidents,

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[1] A/63/592.

[2] A/63/744.

Having considered the report of the Secretary-General on revised estimates relating to the programme budget for the biennium 2010-2011 under sections 28C, Office of Human Resources Management, 28D, Office of Central Support Services, and 36, Staff assessment: Emergency Preparedness and Support Unit,[3] as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,[4]

1. *Takes note* of the report of the Secretary-General;[3]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[4] subject to the provisions of the present resolution;

3. *Emphasizes* the importance of emergency preparedness and support for victims and affected families;

4. *Requests* the Secretary-General to address, as a matter of priority, the needs of the families of United Nations personnel who are victims of malicious acts, natural disasters and other emergency incidents;

5. *Also requests* the Secretary-General to address, as a matter of priority, the needs specific to United Nations staff directly affected by malicious acts, natural disasters and other emergency situations in the immediate aftermath of such incidents;

6. *Stresses* the need for a comprehensive and coordinated approach to emergency management, including preparedness and support based on close cooperation and the sharing of best practices and lessons learned among relevant units, agencies, funds and programmes, and on a systematic analysis of existing capacities;

7. *Takes note* of paragraphs 13 and 15 to 20 of the report of the Advisory Committee on Administrative and Budgetary Questions;

8. *Decides* to approve two P-5, one P-4, one P-2 and one General Service (Other level) positions for the Emergency Preparedness and Support unit, to be funded from general temporary assistance;

9. *Also decides* to approve an additional amount of $2,745,000 for the biennium 2010-2011 under section 28C, Office of Human Resources Management ($2,249,800), section 28D, Office of Central Support Services ($261,900), and section 36, Staff assessment ($233,300), to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2010-2011;

10. *Further decides* that the additional amount of $2,745,000 would represent a charge against the contingency fund;

11. *Requests* the Secretary-General to develop a comprehensive emergency management framework, including, inter alia, emergency preparedness and victim support components, which would draw upon international best practices, and to submit a proposal in the context of the proposed programme budget for the biennium 2012-2013;

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[3] A/64/662.

[4] A/64/7/Add.22.

III
Limited budgetary discretion

Recalling section III of its resolution 60/283 of 7 July 2006 and paragraph 142 of its resolution 64/243 of 24 December 2009,

Having considered the report of the Secretary-General on limited budgetary discretion[5] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[6]

1. *Takes note* of the report of the Secretary-General;[5]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[6]

IV
Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Recalling its resolution 64/244 A of 24 December 2009 and section VI of its resolution 64/245 of 24 December 2009,

Having considered the report of the Secretary-General on the estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: additional requirements for special political missions for the period from 1 January to 31 December 2010,[7] as well as the related report of the Advisory Committee on Administrative and Budgetary Questions,[8]

1. *Takes note* of the report of the Secretary-General;[7]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[8]

3. *Approves* the additional requirements for the United Nations Representative on the International Advisory and Monitoring Board of the Development Fund for Iraq, the Analytical Support and Sanctions Monitoring Team established pursuant to Security Council resolution 1526 (2004) concerning Al-Qaida and the Taliban and associated individuals and entities and the Monitoring Group on Somalia for 2010, totalling $1,020,800 net ($1,021,900 gross);

4. *Decides* that the additional requirements shall be accommodated from the provision of $569,526,500 approved by the General Assembly in its resolution 64/245 for the biennium 2010-2011.

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[5] A/64/562.

[6] A/64/7/Add.18.

[7] A/64/349/Add.6; see also A/C.5/64/SR.24.

[8] A/64/7/Add.21.

Draft resolution II
Conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling its resolution 63/259 of 24 December 2008 and section II, paragraph 10, of its resolution 64/239 of 24 December 2009,

Bearing in mind the completion strategies of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia set out by the Security Council, requiring expeditious completion of cases,

Also bearing in mind that the permanent and ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia shall be persons of high moral character, impartiality and integrity,

Affirming that the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia benefit from the same terms and conditions of service mutatis mutandis as the permanent judges of the Tribunals, pursuant to the statutes of the Tribunals,

Recognizing that, as at 17 March 2010, 17 ad litem judges of the Tribunals have served for an uninterrupted period of service of three years or more,

Also recognizing that the permanent judges of the Tribunals are entitled to pensions after serving for at least three years,

Further recognizing the decisions to extend the terms of office of the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia beyond a cumulative period of service of three years, in the greater interest of successful implementation of the completion strategies of the Tribunals,

Acknowledging that ad litem judges at the Tribunals have significantly contributed to the implementation of the completion strategies,

Also acknowledging that the workload of the ad litem judges and permanent judges of the Tribunals is identical and that their responsibilities are nearly identical, despite the prevailing differences in their terms and conditions of service,

Having considered the report of the Secretary-General on conditions of service for the ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Takes note* of the report of the Secretary-General;[1]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

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[1] A/64/635 and Corr.1.

[2] A/64/7/Add.20.

3. *Emphasizes* that the Fifth Committee is the appropriate Main Committee of the General Assembly for administrative and budgetary questions;

4. *Welcomes* the efforts and commitment of the judges to the successful implementation of the completion strategies of the respective Tribunals;

5. *Decides* that the matter of the difference in pension rights between ad litem judges and permanent judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia shall be resolved as a priority of the General Assembly at the main part of its sixty-fifth session;

6. *Also decides* that, in future, when an extension of mandates for ad litem judges with budgetary implications is being sought, matters relating to the conditions of service should be brought to the attention of the Fifth Committee, as the appropriate Main Committee of the General Assembly with authority for determining the conditions of service;

7. *Further decides* that the decisions to be taken with respect to paragraph 5 of the present resolution shall apply to all ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia who have served for an uninterrupted period of service of three years or more;

8. *Requests* the Secretary-General to include a comprehensive actuarial study of the cost of extending pensions to the ad litem judges of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia in his report requested pursuant to section I, paragraph 8, of General Assembly resolution 63/259;

9. *Decides* to continue its consideration of the report of the Secretary-General and the related report of the Advisory Committee on Administrative and Budgetary Questions at the main part of its sixty-fifth session.